

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

IN RE:

Francis Timothy Reising
Sandra Helen Reising

CASE NO.: 6:18-bk-07051

Debtor(s).

**OBJECTION TO US BANK TRUST NA'S NOTICE OF POST-PETITION
MORTGAGE FEES, EXPENSES, AND CHARGES**

COMES NOW the Debtors, FRANCIS TIMOTHY REISING and SANDRA HELEN REISING, by and through their undersigned Counsel, hereby files this Objection to US Bank Trust NA's Notice of Post-petition Mortgage Fees, Expenses, and Charges, and in support thereof would state as follows:

1. Creditor filed a Notice of Post-petition Mortgage Fees, Expenses, and Charges as a supplement to Claim 9-2 on October 5, 2022 for a "Plan Review" on August 2, 2022.
2. The Debtors filed a motion to modify the plan on July 27, 2022, to bring plan payments current. The trustee consented to the plan modification on July 29, 2022.
3. The fees to do a plan review are unnecessary and excessive:
 - By the time the plan was reviewed on August 2, 2022, the Trustee's consent was already filed, which US Bank could reasonably rely on to ensure the loan was being paid correctly.
 - The mortgage had been permanently modified during the plan, and there are no pre-petition arrearages paid in the plan.

- Even at an hourly rate of \$400 per hour, it does not reasonably take more than 10 minutes to review a motion to modify plan, the attached spreadsheet, the Trustee consent, and determine that the plan modification pays the mortgage correctly.

WHEREFORE, Debtors request an order sustaining this objection and disallowing Creditors Notice of Post-petition Mortgage Fees, Expenses, and Charges dated October 5, 2022, and for such other relief that is just and proper in circumstances.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing Objection to US Bank Trust NA's Notice of Post-petition Mortgage Fees, Expenses, and Charges have been furnished by regular U.S. Mail or electronically via ECF to Trustee Laurie K Weatherford, PO Box 3450, Winter Park, FL 32790; Attorney for Creditor Melbalynn Fisher, Ghidotti Berger LLP, 1920 Old Tustin Ave, Santa Ana, CA 92705; and Debtors Francis Timothy Reising and Sandra Helen Reising, 660 Riverpark Circle, Longwood, FL 32779, this 28th day of February, 2023.

By: /s/ Wayne B. Spivak
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